

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CHERYL D. UZAMERE,

Plaintiff,

-against-

ANDREW M. CUOMO, *in his official capacity as Governor of the State of New York*, NIRAV R. SHAH, *in his official capacity as Commissioner of the New York State Department of Health*, MICHAEL F. HOGAN, *in his official capacity as Commissioner of the New York State Office of Mental Health*, ANN PFAU, *in her official capacity as Chief Administrative Judge for the New York State Trial Courts*, ROY L. REARDON, *in his official capacity as Chair of the New York State Departmental Disciplinary Committee, New York State Supreme Court for the First Judicial Department*, STATE OF NEW YORK, THE NEW YORK STATE DEPARTMENT OF HEALTH, THE NEW YORK STATE UNIFIED COURT SYSTEM, THE DAILY NEWS, LP, UZAMERE & ASSOCIATES, PLLC, ALLEN E. KAYE, PC, THE LAW OFFICES OF HARVEY SHAPIRO, GLADSTEIN AND MESSINGER, FEDERATION EMPLOYMENT AND GUIDANCE SERVICE, INTERFAITH HOSPITAL AND MEDICAL CENTER, NEW YORK PSYCHOTHERAPY, and ROMAN CATHOLIC DIOCESE OF BROOKLYN,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

ORDER

11-CV-2831 (NGG) (LB)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E.D.N.Y.
★ JUN 23 2011 ★
BROOKLYN OFFICE

On June 10, 2011, Plaintiff Cheryl D. Uzamere, pro se, filed an action with the court against the above-captioned Defendants. (Compl. (Docket Entry # 1).) Plaintiff seeks in forma pauperis status pursuant to 28 U.S.C. § 1915. (Docket Entry # 2.) Since filing her Complaint, Plaintiff has inundated the court with harassing faxes and phone calls.

Plaintiff's most recent Complaint—one of at least five she has filed with this court—is 89-pages long and is accompanied by 589 pages of exhibits. Plaintiff has also sent at least 60 pages of faxes directly to chambers, purporting to be in connection with her most recent action. The substance of Plaintiff's Complaint—if one can be discerned—concerns, among other things, her divorce from Ehigie Edobar Uzamere; a defamation claim filed against the *Daily News*; a Departmental Disciplinary Committee complaint filed against the attorney representing the *Daily News*; and other state court actions, including a state court action against the attorneys who represented her former husband. (Compl. at 27-45.) Plaintiff has a long, tired history of vexatious litigation in this court. See Uzamere v. State of New York, No. 09-cv-2703 (E.D.N.Y. July 9, 2009).

The in forma pauperis statute requires a district court to dismiss a case if the court determines that “the action or appeal—(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B). After reviewing Plaintiff's most recent Complaint, the court finds that the instant action must be DISMISSED as frivolous and malicious because, even construed liberally, Plaintiff's Complaint lacks any arguable basis in fact or law.

Further, due to Plaintiff's history of harassing phone calls and faxes to chambers, the court orders Plaintiff to direct all future correspondence to this court's Pro Se Office. Any faxes or letters sent directly to chambers, rather than the court, will not be considered and will not be filed with the court. Plaintiff is absolutely prohibited from contacting chambers by phone or by any other means.

The court further certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this

Order would not be taken in good faith and, therefore, in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: Brooklyn, New York
June 22, 2011

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS ✓
United States District Judge